

RESOURCES REPORTS RESTORATION ACT

NOVEMBER 8, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3002]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3002) to provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas, and other natural resources-related matters, and to repeal provisions of law regarding terminated reporting requirements concerning such matters, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3002 is to provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas and other natural resources-related matters, and to repeal provisions of law regarding terminated reported requirements concerning such matters.

BACKGROUND AND NEED FOR LEGISLATION

Section 3003 of the Federal Reports Elimination and Sunset Act of 1997 (FRESA, Public Law 104-66) terminates all reports to Congress contained in House Document 103-7 as of December 21, 1999. This document lists statutorily-required reports to Congress from various Executive branch agencies and was issued by the Clerk of the House in January 1993.

The philosophy of FRESA is to “alleviate the paperwork burden on Executive Branch agencies.” Certainly the reduction of unnecessary paperwork is a worthy goal but some consideration should be

given as to why a statute mandates a certain report and how this information is used by the Congress and the public. In the case of the Committee on Resources, this information greatly aids oversight activities and the development of legislation. The reports also provide the public with valuable insight in how federal tax dollars are being spent.

Without action by Congress, many critical reports will be lost before the end of the year, requiring extensive amendments to underlying statutory authorities to reinstate the reports. To date, only a single House committee has passed legislation reinstating its critical reports so far, and others are just awakening to this problem. Absent action by the Committee on Government Reform to delay or modify the effect of FRESA, each committee will have to act to preserve its critical reports. This bill represents that effort.

The Resources Reports Restoration Act will restore 128 reports critical to the oversight operations of the Committee eliminated by Public Law 104–66. A complete list is appended to this report (Appendix A), but the restored reports include:

- Implementation costs of the Endangered Species Act;
- Notices of withdrawals of public lands;
- Governing international fishery agreements;
- Financial disclosure for certain employees of the Department of the Interior;
- Rehabilitation needs for National Forest System lands;
- Threatened areas on the National Register of Historic Places;
- Management plans for National Parks;
- Proposed oil and gas leasing programs on the Outer Continental Shelf;
- Proposals for projects under the Small Reclamation Projects Act;
- Audits of financial assistance provided to the insular areas of the United States;
- Council on Environmental Quality annual report.

The bill also makes technical changes to some underlying laws which authorize repealed or sunsetted reports.

The Committee did not expect to enact lengthy legislation to preserve reports that it had authored in permanent law. When the House of Representatives first considered the underlying bill for FRESA, it specifically listed 150 reporting requirements which would be eliminated and modified. This list was prepared by the Committee on Government Reform and Oversight after consultation with the various committees of the House, including the Committee on Resources. Unfortunately, section 3003—a Senate provision—remained undisclosed to most House committees until March 25, 1999, when the Chairman of the Committee on Government Reform sent a letter to committee chairmen warning them of the effects of section 3003 and its rapidly approaching deadline.

This tardy notice was compounded by the unavailability of the House Document referenced by section 3003 which was the only source for determining which reporting requirements were affected by the termination. The Clerk of House finally posted the document on the Clerk's web page during the summer of 1999. House Document 103–7 itself was the source of many problems. First, the pub-

lication covered more than mere reports to Congress—it also addressed other submissions such as draft legislation, copies of environmental impact statements, budget documents, and copies of intergovernmental agreements. Few realized the wide-ranging impact of the termination of otherwise innocently termed “reports.” Second, the publication failed to list every report to Congress, creating confusion over which reports were affected. Third, it contained errors in report titles and statutory sources, creating great hurdles in identifying the underlying reports. Finally, it listed reporting requirements which had already been satisfied by the submission of the required materials to Congress and listed reporting requirements which had been repealed.

Working from House Document 103–7, staff compiled an initial list of reports which appeared to affect Resources Committee issues. After identifying the correct statutory source for each of the reports, staff then eliminated those reports which were repealed, satisfied, otherwise overtaken by events, or not in the Committee’s jurisdiction. The remaining reports were then exempted from the operation of section 3003—thus preserving them for use by the Committee and the public—in subsection (a) of the bill. Based on recommendations of the Office of Legislative Counsel, subsections (b) and (c) contain amendments to several (but not all) statutory reporting provisions which have been repealed or sunsetted. Time constraints preclude additional “mop-up” work in this area, but the Committee intends to work on technical amendments in another vehicle soon.

COMMITTEE ACTION

H.R. 3002 was introduced on October 4, 1999, by Congressman Don Young (R-AK). The bill was referred to the Committee on Resources. On October 6, 1999, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.*—Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act*.—As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *Government Reform Oversight Findings*.—Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. *Congressional Budget Office Cost Estimate*.—Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 29, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3002, the Resources Reports Restoration Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Megan Carroll (for federal costs), Marjorie Miller (for the state and local impact), and Keith Mattrick (for the private-sector impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 3002—Resources Reports Restoration Act

Summary: Under current law, certain federal and nonfederal reporting requirements will expire on December 21, 1999. H.R. 3002 would require certain land and resource management agencies to continue to prepare 128 of these reports. Based on information from several of these agencies, CBO estimates that extending these reporting requirements would cost about \$1 million a year starting in fiscal year 2001, subject to the availability of appropriated funds. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3002 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the costs of these mandates would be small—well below the threshold established in that act (\$50 million in 1996, adjusted annually for inflation). A few of the reporting requirements that would be reinstated by this bill are mandates currently imposed on the governments of U.S. territories. Reinstating those requirements would be new mandates.

H.R. 3002 would impose a private-sector mandate by making permanent a requirement on two private foundations to submit annual reports to the Congress. CBO estimates that the direct costs of the mandate would fall well below the threshold established in UMRA (\$100 million in 1996, adjusted annually for inflation).

Estimated cost to the Federal Government: Several federal agencies, including the Department of the Interior's land and resource management agencies, the Forest Service, the Department of Energy, the Environmental Protection Agency, the Council for Environmental Quality, the Department of Commerce, and the Department of Justice, are responsible for the reports that would be continued under H.R. 3002. The contents of these reports vary from routine reports on resource data, updates on specific projects or programs, financial and audit reports, to comprehensive reports on the performance of large programs.

H.R. 3002 references some reports that are not submitted by agencies now, or that replicate data compiled and submitted in other reports. Based on information provided by several agencies, CBO estimates that less than a dozen of the reports that would be continued under the bill cost more than \$50,000 annually to prepare. These include reports prepared by the Department of Energy, the Council on Environmental Quality, the Environmental Protection Agency, and agencies within the Department of the Interior. We estimate that continuing about half of the reports listed in the bill would not affect spending because agencies plan to continue to prepare them after the requirement to do so expires, or because agencies currently expend little effort to meet the reporting requirements. For other reports cited in the bill, we estimate that agencies would incur annual costs of \$5,000 to \$15,000 to continue preparing reports. In total, CBO estimates that implementing H.R. 3002 would increase discretionary spending by about \$1 million a year over the 2001–2004 period, assuming appropriation of the necessary amounts.

Pay-as-you-go considerations: None.

Estimated impact on State, local, and tribal governments: Under current law, the governments of U.S. territories must prepare comprehensive annual financial reports, publish these reports, and submit them to the Congress and to the Secretary of the Interior. The requirements that the territories submit these reports to the Congress would sunset under current law, but would be restored by H.R. 3002. Restoring these requirements would be mandates as defined in UMRA, but the cost would be small—well below the UMRA threshold (\$50 million in 1996, adjusted annually for inflation). H.R. 3002 would reinstate a number of other reporting requirements that affect U.S. territories, but the rest are all conditions of federal assistance, and thus would not constitute mandates.

Estimated impact on the private sector: Current law, which is set to expire on December 21, 1999, requires two private foundations—the National Park Foundation and the National Fish and Wildlife Foundation—to submit annual reports on their activities to the Congress. The foundations were established as federally chartered corporations by the Congress to accept and administer donations toward natural and cultural resource conservation programs. H.R.

3002 would make the reporting requirement on the foundations permanent. Based on information provided by the foundations, CBO estimates that the direct cost, if any, of extending the existing mandate would be minimal and thus would fall well below the annual threshold established in UMRA (\$100 million in 1996, adjusted annually for inflation).

Estimate prepared by: Federal costs: Megan Carroll; Impact on State, local, and tribal governments: Marjorie Miller; Impact on the private sector: Keith Mattrick.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates as defined in Public Law 104-4.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt any State, local, or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

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TITLE II—CENTRAL UTAH PROJECT CONSTRUCTION

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SEC. 211. AUDIT OF CENTRAL UTAH PROJECT COST ALLOCATIONS.

Not later than one year after the date on which the Secretary declares the Central Utah Project to be substantially complete, the Comptroller General of the United States shall conduct an audit of the allocation of costs of the Central Utah Project to irrigation, municipal and industrial, and other project purposes and submit a report of such audit to the Secretary [and to the Congress]. The audit shall be conducted in accordance with regulations which the Comptroller General shall prescribe not later than one year after the date of enactment of this Act. Upon a review of such report, the Secretary shall reallocate such costs as may be necessary. Any amount allocated to municipal and industrial water in excess of the total maximum repayment obligation contained in repayment contracts dated December 28, 1965, and November 26, 1985, shall be deferred for as long as the District is not found to be in substantial noncompliance with the water management improvement program provided in section 207 and the stream flows provided in title III are maintained. If at any time the Secretary finds that such program is in substantial noncompliance or that such stream flows are

not being maintained, the Secretary shall, within six months of such finding and after public notice, take action to initiate repayment of all such reimbursable costs.

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TITLE XVIII—GRAND CANYON PROTECTION

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SEC. 1804. GLEN CANYON DAM ENVIRONMENTAL IMPACT STATEMENT; LONG-TERM OPERATION OF GLEN CANYON DAM.

(a) * * *

(b) AUDIT.—The Comptroller General shall—

(1) * * *

(2) report the results of the audit to the Secretary [and the Congress].

* * * * *

SECTION 122 OF THE ACT OF DECEMBER 19, 1985

AN ACT Making appropriations for the Department of Defense for the fiscal year ending September 30, 1986, and for other purposes.

SEC. 122. None of the funds made available by this or any other Act for fiscal year 1986 to the Office of the Secretary, Department of the Interior, shall be expended to submit to the United States District Court for Eastern California any settlement with respect to Westlands Water District v. United States, et al., (CV-F-81-245-EDP) [until: (1) April 15, 1986, and (2) until the Congress has received from the Secretary and reviewed for a period of 30 days a copy of the proposed settlement agreement which has been approved and signed by the Secretary.] *until April 15, 1986.*

PETROGLYPH NATIONAL MONUMENT ESTABLISHMENT ACT OF 1990

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TITLE I—PETROGLYPH NATIONAL MONUMENT

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SEC. 108. GENERAL MANAGEMENT PLAN.

(a) Within 3 years from the date funding is made available for the purposes of this section, the Secretary, in cooperation with the city and the State, shall develop [and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives,] a general management plan for the monument consistent with the purposes of this title, including, but not limited to—

* * * * *

(c) The Secretary shall undertake, in consultation and cooperation with appropriate New Mexico Indian tribes and their civil officials, research on other Rio Grande style rock art sites on Federal lands in New Mexico, and through cooperative agreements with

State and willing private landowners, on non-Federal lands. [The Secretary shall provide the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives within 3 years of the date funding is made available for the purposes of this section, a report that—

- [(1) lists various locations of Rio Grande style rock art;
- [(2) identifies the ownership of the rock art;
- [(3) identifies the condition of the resources; and
- [(4) identifies the appropriate type of technical assistance needed for the protection and care of these resources.

The report shall be updated and transmitted to such committees every 2 years thereafter.]

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TITLE II—PECOS NATIONAL HISTORICAL PARK

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SEC. 205. Within 3 full fiscal years from the date funding is made available for the purposes of preparing a general management plan, the Secretary shall develop [and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives,] a general management plan for the park consistent with the purposes of this title, including (but not limited to)—

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SECTION 6 OF THE WEIR FARM NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 1990

SEC. 6. ADMINISTRATION OF HISTORIC SITE.

(a) * * *

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(d) GENERAL MANAGEMENT PLAN.—Within 2 complete fiscal years after the date of the enactment of this Act, the Secretary shall [submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate] *prepare* a general management plan for the historic site. The plan shall be prepared in accordance with section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a–1 through 1a–7) and other applicable law.

ACT OF JUNE 5, 1978

AN ACT To provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes.

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TITLE I—ESTABLISHMENT OF PARK AND PRESERVATION DISTRICT

ESTABLISHMENTS; BOUNDARIES

SEC. 101. (a) * * *

* * * * *

(b) The Secretary may make minor revisions of the park and preservation district boundaries established under subsection (a)(1) of this section, after consulting with the Commission and the city manager of Lowell, by publication of a revised drawing or other boundary description in the Federal Register; but no waters, lands or other property outside of the park or preservation district boundaries established under such subsection may be added to the park or preservation district without the consent of the city manager of Lowell and the city council of Lowell. [A boundary revision made under this subsection shall be effective only after timely notice in writing is given to Congress.]

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AUTHORIZATION OF APPROPRIATIONS

SEC. 103. (a) * * *

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[(d)(1) Within 60 days after the date of the enactment of this Act, and on each subsequent October 1 and March 1, the Secretary shall submit to the Congress a statement certifying the aggregate amount of money expended by the Commonwealth of Massachusetts, the city of Lowell consistent with the purpose of this Act during the period beginning on January 1, 1974, and ending on the date such statement is submitted.

[(2) The aggregate amount of funds made available by the Secretary to the Commission from funds appropriated under subsection (a)(2) of this section may not exceed the amount certified by the Secretary in the most recent statement submitted to the Congress under paragraph (1) of this subsection.]

(d) The aggregate amount of funds made available by the Secretary to the Commission from funds appropriated under subsection (a)(2) may not exceed the amount expended by the Commonwealth of Massachusetts, the city of Lowell, and any nonprofit entity for activities in the city of Lowell consistent with the purpose of this Act since January 1, 1974.

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TITLE II—ROLE OF THE SECRETARY

PARK MANAGEMENT PLAN

SEC. 201. (a) * * *

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(b)(1) Not later than three years after the date on which funds are made available to carry out this Act, the Secretary shall establish [and submit to the Congress] a park management plan con-

taining the information described in subsection (a) of this section. Such plan shall, upon request, be available to the public.

(2) After consulting with the Commission, the city manager of Lowell, and the Commonwealth of Massachusetts, the Secretary may make revisions in the park management plan established pursuant to paragraph (1) of this subsection by publication of such revisions in the Federal Register. [A revision made under this paragraph shall be effective 90 days after written notice of the revision is submitted to the Congress.]

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TITLE III—ROLE OF THE COMMISSION

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LOANS, GRANTS, AND TECHNICAL ASSISTANCE

SEC. 303. (a) * * *

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[(e) The Secretary shall make an annual report to the Congress describing the loans, grants, and technical assistance provided under this section and under section 203 of this Act. Such report shall specify the amount, recipient, and purpose of any loan, grant or technical assistance so provided and contain such additional information as the Secretary considers appropriate.]

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NIOBRARA SCENIC RIVER DESIGNATION ACT OF 1991

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SEC. 7. NATIONAL RECREATION AREA STUDY

(a) * * *

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[(b) SUBMISSION OF REPORT.—The results of such study shall be transmitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.]

SEC. 8. STUDY OF FEASIBILITY AND SUITABILITY OF ESTABLISHING NIOBRARA-BUFFALO PRAIRIE NATIONAL PARK.

(a) * * *

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[(e) SUBMISSION OF REPORT.—The results of the study shall be submitted to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.]

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**WEST VIRGINIA NATIONAL INTEREST RIVER
CONSERVATION ACT OF 1987**

TITLE II—GAULEY RIVER NATIONAL RECREATION AREA

SEC. 201. ESTABLISHMENT.

(a) * * *

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[(c) BOUNDARY MODIFICATIONS.—Within five years after the enactment of this Act, the Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) shall submit to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a report containing any boundary modifications which the Secretary recommends, together with the reasons therefor.]

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TITLE IV—GENERAL PROVISIONS

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SEC. 403. PUBLIC AWARENESS PROGRAM.

The Secretary of the Interior shall establish a public awareness program to be carried out in Mercer, Nicholas, and Greenbrier Counties, West Virginia, in cooperation with State and local agencies, landowners, and other concerned organizations. The program shall be designed to further public understanding of the effects of designation as components of the National Wild and Scenic Rivers System of segments of the Bluestone and Meadow Rivers which were found eligible in the studies completed by the National Park Service in August 1983 but which were not designated by this Act as units of such system. [By December 31, 1992, the Secretary shall submit a report to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate describing the program undertaken pursuant to this section.] Section 7(b) of the Wild and Scenic Rivers Act shall continue to apply to the segments subject to this section until December 31, 1992.

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SECTION 2 OF THE ACT OF AUGUST 7, 1961

AN ACT To provide for the establishment of Cape Cod National Seashore.

SEC. 2. (a) * * *

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(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such areas and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary

may accept case from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

【The Secretary shall report to the Congress on every exchange carried out under authority of the Act within thirty days from its consummation, and each such report shall include a statement of the fair market values of the properties involved and of any cash equalization payment made or received.】

SECTION 12 OF THE ACT OF OCTOBER 21, 1970

AN ACT To establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes.

SEC. 12. (a) * * *

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(e)(1) * * *

* * * * *

(4) Condemnation may be used with respect to any lands described in subsection (c) only—

(A) * * *

(B) to purchase fee title or such lesser interest as may be sufficient to prevent significant damage to the scenic, soil, or water resources of the lakeshore. Action under this subparagraph shall be used only after attempts to negotiate a solution to the problem have failed, the Secretary determines that such attempts have failed, the Secretary shall notify in writing the owner of the property involved of the proposed action to be taken under this subparagraph and the Secretary shall seek an injunction to prevent such resource damage. The Secretary may at any time, and if an injunction is granted under this subparagraph the Secretary shall within 30 days after the date of such injunction, send in writing to the owner of the property the Secretary's best and final offer for the purchase of such property. If the owner does not accept such offer, the Secretary may file for condemnation. 【The Secretary must notify the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives of any action taken under this subparagraph.】

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SECTION 2 OF THE ACT OF OCTOBER 13, 1964

AN ACT To authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

SEC. 2. (a) * * *

* * * * *

(c) Any area outside of the national forests that the Secretary and the Governor of Wisconsin agree has significant examples of continental glaciation but is not described in the original notice may be included in the reserve by the Secretary after 【notice to the

President of the Senate and the Speaker of the House of Representatives and] publication in the Federal Register, as hereinbefore provided, and any area that they consider to be no longer desirable as a part of the reserve may be excluded from it by the Secretary in the same manner.

MNI WICONI PROJECT ACT OF 1988

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SEC. 3. OGLALA SIOUX RURAL WATER SUPPLY SYSTEM.

(a) * * *

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(f) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for the construction of the Oglala Sioux Rural Water Supply System [until—

[(1) the requirements] *until the requirements* of the National Environmental Policy Act of 1969 have been met[; and].

[(2) a final engineering report has been prepared and submitted to the Congress for a period of not less than ninety days.]

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SEC. 4. WEST RIVER RURAL WATER SYSTEM AND LYMAN-JONES RURAL WATER SYSTEM.

(a) * * *

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(e) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for the construction of the West River Rural Water System and the Lyman-Jones Rural Water System [until—

[(1) the requirements] *until the requirements* of the National Environmental Policy Act of 1969 have been met[; and

(2) final engineering reports have been prepared and submitted to the Congress for a period of not less than ninety days].

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SECTION 6 OF THE APEX PROJECT, NEVADA LAND TRANSFER AND AUTHORIZATION ACT OF 1989

SEC. 6. ENVIRONMENTAL CONSIDERATIONS.

(a) * * *

* * * * *

(c) OTHER REPORTS.—(1) * * *

(2) No later than ninety days after the date of enactment of this Act, the Secretary shall evaluate the desirability of acquisition of the lands specified in appendix A to the report of the [Committee on Interior and Insular Affairs of the United States House of Representatives to accompany H.R. 1485 of the One Hundred First Congress (House Report 101-79). Such evaluation shall be based solely on the resources and values of such lands and the extent to

which national policies and programs for management of such resources and values would be furthered by such acquisition. Promptly after the completion of such evaluation, the Secretary shall report the results thereof to the [Committee on Interior and Insular Affairs of the United States House of Representatives, the Committee on Energy and Natural Resources of the United States Senate, and] the Representatives and Senators from the State of Nevada.

SECTION 8 OF THE ACT OF SEPTEMBER 7, 1976

AN ACT To authorize the Secretary of the Interior to make compensation for damages arising out of the failure of the Teton Dam a feature of the Teton Basin Federal reclamation project in Idaho, and for other purposes.

[SEC. 8. At the end of the year following the approval of this Act and each year thereafter until the completion of the claims program, the Secretary shall make an annual report to the Congress of all claims submitted to him under this Act stating the name of each claimant, the amount claimed, a brief description of the claim, and the status or disposition of the claim including the amount of each administrative payment and award under the Act.]

SECTION 3 OF THE ACT OF JUNE 15, 1977

AN ACT To authorize appropriations for continuation of construction of distribution systems and drains of the San Luis Unit, Central Valley project, California, to mandate the extension and review of the project by the Secretary, and for other purposes.

SEC. 3. Neither the Secretary nor any of his representatives shall approve any amendatory or other contract modifying the current water service contract of June 5, 1963 (contract numbered 14-06-200-495-A) or the current repayment contract of April 1, 1965 (contract numbered 14-06-200-2020-A), or any temporary contract extending more than one hundred and eighty days beyond December 31, 1977, prior to the completion of the report of the task force required in section 2 or January 1, 1978, whichever occurs first. [No such contract shall be approved by the Secretary or his representative prior to submission to the Congress for a period of not more than ninety days (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a date certain).]

SECTION 4 OF THE ACT OF OCTOBER 3, 1980

AN ACT To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, and for other purposes.

SEC. 4. In preparing the studies and review authorized by subsections (11) and (12) of section 1 and section 3, the Secretary of the Interior shall fully describe all potential beneficial or detrimental impacts resulting from the construction or operation of the projects under study. [The Secretary shall further make recommendations to the Congress for assuring that neither the construction nor the operation of any such project results in the dete-

rioration of the water quality and ecology of the Sacramento-San Joaquin Delta or the San Francisco Bay estuarine system.】

SECTION 3 OF THE ACT OF SEPTEMBER 30, 1982

AN ACT To authorize the Secretary of the Interior to proceed with development of the WEB pipeline, to provide for the study of South Dakota water projects to be developed in lieu of the Oahe and Pollock-Herreid irrigation projects, and to make available Missouri basin pumping power to projects authorized by the Flood Control Act of 1944 to receive such power.

* * * * *

SEC. 3. The Secretary is authorized, in cooperation with the State of South Dakota, to conduct a feasibility investigation of the alternate uses of facilities constructed for use in conjunction with the Oahe Unit, initial stage, James Division, Pick-Sloan Missouri Basin Program, South Dakota【, and to report to the Congress the findings of such study along with his recommendations】.

SECTION 8 OF THE COLORADO RIVER FLOODWAY PROTECTION ACT

【CERTIFICATION OF COMPLIANCE

【SEC. 8. The Secretary of the Interior shall, on behalf of each Federal agency concerned, make written certification that each agency has complied with the provisions of the Act during each fiscal year beginning after September 30, 1985. Such certification shall be submitted on an annual basis to the United States House of Representatives and the United States Senate on or before January 15 of each fiscal year.】

SECTION 4 OF THE HIGH PLAINS STATES GROUND-WATER DEMONSTRATION PROGRAM ACT OF 1983

SEC. 4. (a) * * *

* * * * *

(c)(1) * * *

【(2) Within five years after the initiation of phase II, the Secretary shall submit a summary report to Congress. The summary report shall contain—

【(A) a detailed evaluation of the demonstration projects referred to in subsection (a);

【(B) the results of the studies referred to in subsection (b);

【(C) specific recommendations regarding the location, scope, and feasibility of operational groundwater recharge project to be constructed and maintained by the Bureau; and

【(D) an evaluation of the feasibility of integrating these groundwater recharge projects into existing reclamation projects.】

【(3) (2) In addition to recommendations made under section 3, the Secretary shall make additional recommendations for design, construction, and operation of demonstration projects. Such projects are authorized to be designed, constructed, and operated in accordance with subsection (a).

[(4)] (3) Each project under this section shall terminate five years after the date on which construction on the project is completed.

[(5)] (4) At the conclusion of phase II the Secretary shall submit a final report to the Congress which shall include, but not be limited to, a detailed evaluation of the projects under this section.

SECTION 8 OF THE ACT OF AUGUST 5, 1965

AN ACT To make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior.

SEC. 8. (a)(1) * * *

(2) The Lonetree Dam and Reservoir shall remain an authorized feature of the Garrison Diversion Unit; however, construction funds may be requested by the Secretary for Lonetree Dam and Reservoir only after:

(A) * * *

* * * * *

(C) the [Secretaries of the Interior and State have submitted the determinations required by subparagraphs (A) and (B) above] *Secretary of State has submitted the determination required by subparagraph (B) to the Congress and 90 calendar days have elapsed.*

SECTION 415 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1990

SEC. 415. REGULATION OF DWORSHAK DAM, IDAHO.

(a) JOINT REPORT.—On or before January 1, 1994, or as soon thereafter as reasonably practicable, as part of the joint systems operations review by the Army Corps of Engineers, the Secretary[, the Commissioner of the Bureau of Reclamation], and the Administrator of the Bonneville Power Administration shall issue a joint report to Congress on the regulation of Dworshak Dam, Idaho, including the following:

(1) * * *

* * * * *

SECTION 501 OF THE ACT OF OCTOBER 26, 1992

AN ACT To provide for the establishment of the Brown v. Board of Education National Historical Site in the State of Kansas, and for other purposes.

[SEC. 501. BOSTON HARBOUR ISLANDS STUDY.

[(a) IN GENERAL.—The Secretary of the Interior shall, within 1 year after the date of the enactment of this title, conduct a study of the Boston Harbor Islands to assess the opportunities for the National Park Service to contribute to State, regional, and local efforts to promote the conservation of the Boston Harbor Islands, and their use and enjoyment by the public. In conducting the study, the Secretary shall—

[(1) consult closely with and explore means for expanded cooperation with the Massachusetts Department of Environ-

mental Management, the Metropolitan District Commission, and the City of Boston;

[(2) evaluate the suitability of establishing the Boston Harbor Islands as a unit of the National Park System;

[(3) assess the opportunities for expanded tourism, public education, and visibility by managing the Boston Harbour Islands in conjunction with units of the National Park System in the vicinity, included the Adams National Historic Site in Quincy, Massachusetts; and

[(4) evaluate the possibility for developing ferry service and other transportation links among those units to enhance their public use and enjoyment.

[(b) REPORT.—The Secretary of the Interior shall submit to the Congress a report on the findings, conclusions, and recommendations of the study under subsection (a), by not later than 1 year after the date of the enactment of this title.]

INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

* * * * *

TITLE I—ADMINISTRATIVE PROVISIONS

* * * * *

SEC. 106. (a) * * *

(b) The amount of funds required by subsection (a)—

(1) * * *

* * * * *

(c) Notwithstanding any other provision in this Act, the provision of funds under this Act is subject to the availability of appropriations and the Secretary is not required to reduce funding for programs, projects, or activities serving a tribe to make funds available to another tribe or tribal organization under this Act.

[(c) The Secretary shall provide an annual report in writing on or before May 15 of each year to the Congress on the implementation of this Act. Such report shall include—

[(1) an accounting of the total amounts of funds provided for each program and budget activity for direct program costs and contract support costs of tribal organizations under self-determination contracts during the previous fiscal year;

[(2) an accounting of any deficiency of funds needed to provide required contract support costs to all contractors for the current fiscal year;

[(3) the indirect costs rate and type of rate for each tribal organization negotiated with the appropriate Secretary;

[(4) the direct cost base and type of base from which the indirect cost rate is determined for each tribal organization;

[(5) the indirect cost pool amounts and the types of costs included in the indirect cost pools; and

[(6) an accounting of any deficiency of funds needed to maintain the preexisting level of services to any tribes affected by contracting activities under this Act, and a statement of the amount of funds needed for transitional purposes to enable

contractors to convert from a Federal fiscal year accounting cycle to a different accounting cycle, as authorized by section 105(d).】

* * * * *

TITLE III—TRIBAL SELF-GOVERNANCE DEMONSTRATION PROJECT

* * * * *

SEC. 305. The 【Secretaries】 *Secretary of Health and Human Services* shall submit to the Congress a written report on July 1 and January 1 of each of the five years following the date of enactment of this title on the relative costs and benefits of the Tribal Self-Governance Project. Such report shall be based on mutually determined baseline measurements jointly developed by the 【Secretaries】 *Secretary of Health and Human Services* and participating tribes, and shall separately include the views of the tribes.

* * * * *

INDIAN HEALTH CARE IMPROVEMENT ACT

* * * * *

TITLE I—INDIAN HEALTH MANPOWER

* * * * *

INDIAN HEALTH SERVICE LOAN REPAYMENT PROGRAM

SEC. 108. (a) * * *

* * * * *

【(n) The Secretary shall submit to the President, for inclusion in each report required to be submitted to the Congress under section 801, a report concerning the previous fiscal year which sets forth—

【(1) the health professional positions maintained by the Service or by tribal or Indian organizations for which recruitment or retention is difficult;

【(2) the number of Loan Repayment Program applications filed with respect to each type of health profession;

【(3) the number of contracts described in subsection (f) that are entered into with respect to each health profession;

【(4) the amount of loan payments made under this section, in total and by health profession;

【(5) the number of scholarship grants that are provided under section 104 with respect to each health profession;

【(6) the amount of scholarship grants provided under section 104, in total and by health profession;

【(7) the number of providers of health care that will be needed by Indian health programs, by location and profession, during the three fiscal years beginning after the date the report is filed; and

【(8) the measures the Secretary plans to take to fill the health professional positions maintained by the Service or by

tribes or tribal or Indian organizations for which recruitment or retention is difficult.】

* * * * *

TITLE II—HEALTH SERVICES

* * * * *

HOSPICE CARE FEASIBILITY STUDY

SEC. 205. * * *

* * * * *

【(c) Not later than the date which is 12 months after the date of the enactment of this section, the Secretary shall transmit to the Congress a report containing—

【(1) a detailed description of the study conducted pursuant to this section; and

【(2) a discussion of the findings and conclusions of such study.

【(d)】 (c) For the purposes of this section—

(1) the term “terminally ill” means any Indian who has a medical prognosis (as certified by a physician) of a life expectancy of six months or less; and

(2) the term “hospice program” means any program which satisfies the requirements of section 1861(dd)(2) of the Social Security Act (42 U.S.C. 1395x(dd)(2)); and

(3) the term “hospice care” means the items and services specified in subparagraphs (A) through (H) of section 1861(dd)(1) of the Social Security Act (42 U.S.C. 1395x(dd)(1)).

* * * * *

MENTAL HEALTH PREVENTION AND TREATMENT SERVICES

SEC. 209. (a) * * *

* * * * *

(j) **【ANNUAL REPORT】 METHODS TO EVALUATE STATUS OF PROGRAMS AND SERVICES.**—The Service shall develop methods for analyzing and evaluating the overall status of mental health programs and services for Indians 【and shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report on the mental health status of Indians which shall describe the progress being made to address mental health problems of Indian communities】.

* * * * *

MANAGED CARE FEASIBILITY STUDY

SEC. 210. **【(a)】** The Secretary, acting through the Service, shall conduct a study to assess the feasibility of allowing an Indian tribe to purchase, directly or through the Service, managed care coverage for all members of the tribe from—

- (1) a tribally owned and operated managed care plan; or
- (2) a State licensed managed care plan.

[(b) Not later than the date which is 12 months after the date of the enactment of this section, the Secretary shall transmit to the Congress a report containing—

[(1) a detailed description of the study conducted pursuant to this section; and

[(2) a discussion of the findings and conclusions of such study.]

* * * * *

CONTRACT HEALTH SERVICES PAYMENT STUDY

SEC. 219. (a) * * *

* * * * *

[(c) Not later than 12 months after the date of the enactment of this section, the Secretary shall transmit to the Congress a report that includes—

[(1) a detailed description of the study conducted pursuant to this section; and

[(2) a discussion of the findings and conclusions of such study.]

* * * * *

TITLE III—HEALTH FACILITIES

CONSULTATION; CLOSURE OF FACILITIES; REPORTS

SEC. 301. (a) * * *

* * * * *

(c) [(1) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report which sets forth—

[(A) the current health facility priority system of the Service,

[(B) the planning, design, construction, and renovation needs for the 10 top-priority inpatient care facilities and the 10 top-priority ambulatory care facilities (together with required staff quarters),

[(C) the justification for such order of priority,

[(D) the projected cost of such projects, and

[(E) the methodology adopted by the Service in establishing priorities under its health facility priority system.

[(2) In preparing each report required under paragraph (1) (other than the initial report), the Secretary shall—

[(A) consult with Indian tribes and tribal organizations including those tribes or tribal organizations operating health programs or facilities under any contract entered into with the Service under the Indian Self-Determination Act, and

[(B) review the needs of such tribes and tribal organizations for inpatient and outpatient facilities, including their needs for renovation and expansion of existing facilities.

[(3) For purposes of this subsection, the Secretary shall, in evaluating the needs of facilities operated under any contract entered into with the Service under the Indian Self-Determination Act, use the same criteria that the Secretary uses in evaluating the needs of facilities operated directly by the Service.]

[(4)] The Secretary shall ensure that the planning, design, construction, and renovation needs of Service and non-Service facilities which are the subject of a contract for health services entered into with the Service under the Indian Self-Determination Act are fully and equitably integrated into the development of the health facility priority system.

* * * * *

SAFE WATER AND SANITARY WASTE DISPOSAL FACILITIES

SEC. 302. (a) * * *

* * * * *

[(g)(1)] The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report which sets forth—

[(A)] the current Indian sanitation facility priority system of the Service;

[(B)] the methodology for determining sanitation deficiencies;

[(C)] the level of sanitation deficiency for each sanitation facilities project of each Indian tribe or community;

[(D)] the amount of funds necessary to raise all Indian tribes and communities to a level I sanitation deficiency; and

[(E)] the amount of funds necessary to raise all Indian tribes and communities to zero sanitation deficiency.

[(2)] In preparing each report required under paragraph (1) (other than the initial report), the Secretary shall consult with Indian tribes and tribal organizations (including those tribes or tribal organizations operating health care programs or facilities under any contract entered into with the Service under the Indian Self-Determination Act) to determine the sanitation needs of each tribe.

[(3)] The methodology used by the Secretary in determining sanitation deficiencies for purposes of paragraph (1) shall be applied uniformly to all Indian tribes and communities.

[(4)] For purposes of this subsection, the sanitation deficiency levels for an Indian tribe or community are as follows:

[(A)] level I is an Indian tribe or community with a sanitation system—

[(i)] which complies with all applicable water supply and pollution control laws, and

[(ii)] in which the deficiencies relate to routine replacement, repair, or maintenance needs;

[(B)] level II is an Indian tribe or community with a sanitation system—

[(i)] which complies with all applicable water supply and pollution control laws, and

[(ii)] in which the deficiencies relate to capital improvements that are necessary to improve the facilities in order to meet the needs of such tribe or community for domestic sanitation facilities;

[(C)] level III is an Indian tribe or community with a sanitation system which—

[(i)] has an inadequate or partial water supply and a sewage disposal facility that does not comply with applicable water supply and pollution control laws, or

[(ii) has no solid waste disposal facility;

[(D) level IV is an Indian tribe or community with a sanitation system which lacks either a safe water supply system or a sewage disposal system; and

[(E) level V is an Indian tribe or community that lacks a safe water supply and a sewage disposal system.

[(5) For purposes of this subsection, any Indian tribe or community that lacks the operation and maintenance capability to enable its sanitation system to meet pollution control laws may not be treated as having a level I or II sanitation deficiency.]

* * * * *

INDIAN HEALTH CARE DELIVERY DEMONSTRATION PROJECT

SEC. 307. (a) * * *

* * * * *

[(h)(1) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted to the Congress under section 801 for fiscal year 1997, an interim report on the findings and conclusions derived from the demonstration projects established under this section.

[(2) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted to the Congress under section 801 for fiscal year 1999, a final report on the findings and conclusions derived from the demonstration projects established under this section, together with legislative recommendations.]

* * * * *

TITLE V—HEALTH SERVICES FOR URBAN INDIANS

* * * * *

REPORTS AND RECORDS

SEC. 507. (a) * * *

* * * * *

[(d)(1) The Secretary, acting through the Service, shall submit a report to the Congress not later than March 31, 1992, evaluating—

[(A) the health status of urban Indians;

[(B) the services provided to Indians through this title;

[(C) areas of unmet needs in urban areas served under this title; and

[(D) areas of unmet needs in urban areas not served under this title.

[(2) In preparing the report under paragraph (1), the Secretary shall consult with urban Indian health providers and may contract with a national organization representing urban Indian health concerns to conduct any aspect of the report.

[(3) The Secretary and the Secretary of the Interior shall—

[(A) assess the status of the welfare of urban Indian children, including the volume of child protection cases, the prevalence of child sexual abuse, and the extent of urban Indian coordination with tribal authorities with respect to child sexual abuse; and

【(B) submit a report on the assessment required under subparagraph (A), together with recommended legislation to improve Indian child protection in urban Indian populations, to the Congress no later than March 31, 1992.】

* * * * *

TITLE VIII—MISCELLANEOUS

REPORTS

SEC. 801. (a) The President shall, at the time the budget is submitted under section 1105 of title 31, United States Code, for each fiscal year transmit to the Congress a report containing—

(1) * * *

* * * * *

(3) a report on the use of health services by Indians—

(A) on a national and area or other relevant geographical basis;

(B) by gender and age;

(C) by source of payment and type of service; and

(D) comparing such rates of use with rates of use among comparable non-Indian populations【.】;

(4) a separate statement which specifies the amount of funds requested to carry out the provisions of section 201; *and*

(5) a separate statement of the total amount obligated or expended in the most recently completed fiscal year to achieve each of the objectives described in section 814, relating to infant and maternal mortality and fetal alcohol syndrome【;】.

【(6) the reports required by sections 3(d), 108(n), 203(b), 209(j), 301(c), 302(g), 305(a)(3), 403, 708(e), and 817(a), and 822(f);

【(7) for fiscal year 1995, the report required by sections 702(c)(3) and 713(b);

【(8) for fiscal year 1997, the interim report required by section 307(h)(1); and

【(9) for fiscal year 1999, the reports required by sections 307(h)(2), 512(b), 711(f), and 821(g).】

(b) *Effective January 1, 2000, the annual report referred to in subsection (a) shall no longer be required. Any requirement still in effect after that date regarding the submission to the President of information for inclusion in a report under subsection (a) shall be deemed to require the submission of the information directly to Congress.*

* * * * *

DEMONSTRATION PROJECTS FOR TRIBAL MANAGEMENT OF HEALTH CARE SERVICES

SEC. 818. (a) * * *

* * * * *

(d)(1) * * *

(2) By no later than September 30, 1996, the Secretary shall evaluate the performance of each Indian tribe that has participated in a demonstration project established under subsection (a) 【and

shall submit to the Congress a report on such evaluations and demonstration projects].

* * * * *

ACT OF NOVEMBER 28, 1990

AN ACT To authorize the Rumsey Indian Rancheria to convey a certain parcel of land.

* * * * *

TITLE IV—INDIAN CHILD PROTECTION

* * * * *

[SEC. 412. REPORT.

【On or before March 1, 1991, and March 1 of each calendar year thereafter, the Secretary shall submit to the Congress a report involving the administration of this title during the calendar year preceding the calendar year in which such report is submitted.】

TITLE V—INDIAN HEALTH CARE

* * * * *

SEC. 506. FACILITIES ASSESSMENT.

【(a) SURVEY.—The Secretary shall conduct a survey of all facilities used by contractors under title V of the Indian Health Care Improvement Act and shall submit a report to the Congress on such survey not later than one year after the date of enactment of this Act. The report shall, at a minimum, contain the following information for each location:

【(1) The extent to which the facility meets safety and building codes and, if direct care is provided, the extent of compliance with Joint Commission for Accreditation of Health Care Organizations (JCAHO) standards.

【(2) The extent to which improvements, expansion, or relocation is necessary to meet program requirements, provide adequate services, or achieve building code compliance.

【(3) Any lease restriction that would hamper accomplishment of needed improvement, expansion, or relocation.

【(4) The term of the lease, if appropriate, the age of the structure, and the structure's life expectancy with and without improvement.

【(5) An assessment of the deficiencies of the facility.

【(b) REPORT.—The report shall contain general recommendations for addressing the deficiencies of facilities in which programs funded under title V of the Indian Health Care Improvement Act are located and shall propose specific policies for accomplishing those recommendations.】

* * * * *

SECTION 4 OF THE COQUILLE RESTORATION ACT

SEC. 4. ECONOMIC DEVELOPMENT.

(a) PLAN FOR ECONOMIC DEVELOPMENT.—The Secretary shall—

(1) enter into negotiations with the governing body of the Tribe with respect to establishing a plan for economic development for this Tribe; *and*

(2) in accordance with this section and not later than two years after the adoption of a tribal constitution as provided in section 9, develop such a plan[; and].

[(3) upon the approval of such plan by the governing body of the Tribe, submit such plan to the Congress.]

* * * * *

SECTION 10 OF THE PONCA RESTORATION ACT

ECONOMIC DEVELOPMENT PLAN

SEC. 10. (a) The Secretary shall—

(1) enter into negotiations with the governing body of the Tribe to establish a plan for economic development for the Tribe; *and*

(2) in accordance with this section, establish such a plan[; and].

[(3) upon the approval of such plan by the governing body of the Tribe (and after consultation with the State and local officials pursuant to subsection (b)), shall submit such plan to the Congress by no later than the date that is 2 years after the date of enactment of this Act.]

* * * * *

SECTION 2 OF THE ACT OF DECEMBER 9, 1991

AN ACT To direct the Secretary of the Interior to carry out a study and make recommendations to the Congress regarding the feasibility of establishing a Native American cultural center in Oklahoma City, Oklahoma.

[SEC. 2. REPORT.

[Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Congress a report containing a detailed statement of the findings and conclusions of the study carried out under section 1. Such report shall include—

[(1) recommendations regarding the establishment of such a center; and

[(2) a site plan and preliminary design documents for each potential site identified by the study.]

EDUCATION AMENDMENTS OF 1978

* * * * *

TITLE XI—INDIAN EDUCATION

* * * * *

PART B—BUREAU OF INDIAN AFFAIRS PROGRAMS

SEC. 1121. STANDARDS FOR THE BASIC EDUCATION OF INDIAN CHILDREN IN BUREAU OF INDIAN AFFAIRS SCHOOLS.

(a) * * *

* * * * *

(h)(1) * * *

* * * * *

(3) Whenever closure, transfer to any other authority, consolidation, or substantial curtailment of a school is under active consideration or review by any division of the Bureau or the Department of the Interior, the affected tribe, tribal governing body, and designated local school board, will be notified as soon as such consideration or review begins, kept fully and currently informed, and afforded an opportunity to comment with respect to such consideration or review. When a formal decision is made to close, transfer to any other authority, consolidate, or substantially curtail a school, the affected tribe, tribal governing body, and designated local school board shall be notified at least 6 months prior to the end of the school year preceding the proposed closure date. Copies of any such notices and information shall be [transmitted promptly to the Congress and] published in the Federal Register.

* * * * *

SEC. 1125. FACILITIES CONSTRUCTION.

(a) * * *

[(b) By January 1, 1996, and at each time thereafter that the annual budget request for Bureau educational services is presented, the Secretary shall submit to the appropriate committees of Congress a detailed plan to bring such facilities into compliance with such standards. Such plan shall include detailed information on the status of each facility's compliance with such standards, specific cost estimates for meeting such standards at each school, and specific time lines for bringing each school into compliance with such standards.]

* * * * *

SECTION 7 OF THE PAIUTE INDIAN TRIBE OF UTAH RESTORATION ACT

SEC. 7. (a) * * *

* * * * *

(c) Inasmuch as the Kanosh, Koosharem and Indian Peaks Bands of Paiute Indians lost land which had been their former reservations and the Cedar City Band of Paiute Indians had never had a reservation, the Secretary shall negotiate with the tribe or bands, or with representatives of the tribe chosen by the tribe or bands, concerning the enlargement of the reservation for the tribe established pursuant to subsection (a) and shall within two years after the date of enactment of this Act, develop a plan for the enlargement of the reservation for the tribe. The plan shall include acquisition of not to exceed a total of fifteen thousand acres of land to

be selected from available public, State, or private lands within Beaver, Iron, Millard, Sevier, or Washington Counties, Utah. [Upon approval of such plan by the tribal officials elected under the tribal constitution and bylaws adopted pursuant to section 6, the Secretary shall submit such plan, in the form of proposed legislation, to the Congress.]

SECTION 8 OF THE KLAMATH INDIAN TRIBE RESTORATION ACT

SEC. 8. ECONOMIC DEVELOPMENT.

(a) PLAN FOR ECONOMIC SELF-SUFFICIENCY.—The Secretary shall—

(1)(A) enter into negotiations with the Executive Committee of the General Council with respect to establishing a plan for economic development for the tribe; and

[(B)] (2) in accordance with this section and not later than two years after the date of the enactment of this Act, develop such a plan.

[(2) Upon the approval of such plan by the General Council (and after consultation with the State and local officials pursuant to subsection (b)), the Secretary shall submit such plan to the Congress.]

* * * * *

[(d) APPENDIX TO PLAN SUBMITTED TO THE CONGRESS.—The Secretary shall append to the plan submitted to the Congress under subsection (a) a detailed statement—

[(1) naming each individual and official consulted in accordance with subsection (b);

[(2) summarizing the testimony received by the Secretary pursuant to any such consultation; and

[(3) including any written comments or reports submitted to the Secretary by any party named in paragraph (1).]

ACT OF OCTOBER 19, 1973

AN ACT To provide for the use or distribution of funds appropriated in satisfaction of certain judgments of the Indian Claims Commission and the Court of Claims, and for other purposes.

* * * * *

SEC. 2. (a) Within one year after appropriation of funds to pay a judgment of the Indian Claims Commission or the Court of Claims to any Indian tribe, the Secretary of the Interior shall prepare [and submit to Congress] a plan for the use and distribution of the funds. Such plan shall include identification of the present-day beneficiaries, a formula for the division of the funds among two or more beneficiary entities if such is warranted, and a proposal for the use and distribution of the funds. The Secretary shall simultaneously submit a copy of such plan to each affected tribe or group.

* * * * *

[SEC. 4. When submitting the plan as provided in section 2, the Secretary shall also submit to the Congress with such plan—

[(1) copies of the transcripts of hearings held by him concerning the Indian judgment pursuant to clause (2) of section 3(a) and all other papers and documents considered by him in the preparation of such plan, including any resolution, communication, or suggested use or distribution plan of the pertinent Indian tribe submitted pursuant to clause (1) of section 3(a); and

[(2) a statement of the extent to which such plan reflects the desires of the Indian tribe or individuals who are entitled to such funds, which statement shall specify the alternatives, if any, proposed by such Indian tribe or individuals in lieu of such plan, together with an indication of the degree of support among the interested parties for each such alternative.]

SEC. 5. [(a)] The plan prepared by the Secretary shall become effective, and he shall take immediate action to implement the plan for the use or distribution of such judgment funds[, at the end of the sixty-day period (excluding days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) beginning on the day such plan is submitted to the Congress, unless during such sixty-day period enactment of a joint resolution disapproving such plans] *upon submission of the plan to the affected tribes or groups.*

[(b) Within thirty calendar days after the date of adoption of a resolution disapproving a plan, the Secretary shall submit to the Congress proposed legislation, together with a report thereon, authorizing use or distribution of such funds.

[(c) Within the sixty-day period and before the adoption of any resolution disapproving a plan, the Secretary may withdraw or amend such plan: *Provided*, That any amendments affecting the division of an award between two or more beneficiary entities shall be subject to the consent of these entities as provided in section 2(d) of this Act. Any such amended plan shall become valid at the end of a sixty-day period beginning on the day such amendment is submitted to the Congress, unless during such sixty-day period, a joint resolution is enacted disapproving such plan as amended.

[(d) Once a plan is withdrawn before the end of a sixty-day period, the Secretary has until the expiration of the original one-year deadline to resubmit a plan to Congress. Such a plan shall become valid at the end of a sixty-day period beginning on the day such new plan is submitted to the Congress, unless during such sixty-day period, a joint resolution is enacted disapproving such plan.

[(e) Upon the introduction of the first such resolution of disapproval in either the House of Representatives or the Senate, the sixty-day period shall be recomputed from the date of such introduction and shall not again be extended.]

* * * * *

ACT OF JULY 1, 1932

AN ACT To authorize the Secretary of the Interior to adjust reimbursable debts of Indians and tribes of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to adjust or eliminate reimbursable charges of the Government of the United States existing as debts against individual Indians or tribes of Indians in such a way as shall be equitable and just in consideration of all the circumstances under which such charges were made: *Provided*, That the collection of all construction costs against any Indian owned lands within any Government irrigation project is hereby deferred, and no assessments shall be made on behalf of such charges against such lands until the Indian title thereto shall have been extinguished, and any construction assessments heretofore levied against such lands in accordance with the provisions of the Act of February 14, 1920 (41 Stat. L. 409), and uncollected, are hereby canceled[: *Provided further*, That the Secretary shall report such adjustments and eliminations to the Congress not later than sixty calendar days following the end of the fiscal year in which they are made: *Provided further*, That any proceedings hereunder shall not be effective until approved by Congress unless Congress shall have failed to act favorably or unfavorably thereon by concurrent resolution within ninety calendar days after the filing of said report, in which case they shall become effective at the termination of the said sixty legislative days].

ACT OF FEBRUARY 14, 1931

CHAP. 171.—An Act To authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The Secretary of the Interior may accept donations of funds or other property for the advancement of the Indian race, and he may use the donated property in accordance with the terms of the donation in furtherance of any program authorized by other provision of law for the benefit of Indians. [An annual report shall be made to the Congress on donations received and allocations made from such donations. This report shall include administrative costs and other pertinent data.]

SECTION 6 OF THE INDIAN CLAIMS LIMITATION ACT OF 1982

[SEC. 6. (a) If the Secretary determines that any claim or claims contained in either of the lists as provided in sections 3 or 4(c) of this Act [sections 3 or 4(c) of Pub.L. 97-394] is not appropriate for litigation, but determines that such claims may be appropriately resolved by legislation, he shall submit to the Congress legislation to resolve such claims or shall submit to Congress a report setting out options for legislative resolution of such claims.

[(b) Any right of action on claims covered by such legislation or report shall be barred unless the complaint is filed within 3 years

after the date of submission of such legislation or legislative report to Congress.】

SECTION 1042 OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991

SEC. 1042. INDIAN RESERVATION ROADS STUDY.

(a) 【STUDY.—】The Secretary shall conduct a study on the funding needs for Indian reservation roads taking into account funding and other quality inequities between Indian reservation roads and other highway systems.

【(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the study conducted under this section, together with any legislative and administrative recommendations of the Secretary for correcting inequities identified under such study.】

SECTION 301 OF THE OMNIBUS INSULAR AREAS ACT OF 1992

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

【(a)】 The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and wastewater needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and wastewater needs of American Samoa.

【(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include—

【(1) an assessment of the water, power and wastewater needs of American Samoa both currently, and for the year 2000;

【(2) an assessment of, and recommendations regarding, how these needs can be met;

【(3) an assessment of, and recommendations regarding, any additional legal authority or funding which may be necessary to meet these needs; and

【(4) an assessment of, and recommendations regarding, the respective roles of the Federal and American Samoa governments in meeting these needs.】

SECTION 607 OF THE ACT OF DECEMBER 24, 1980

AN ACT To authorize appropriations for certain insular areas of the United States, and for other purposes.

SEC. 607. (a) * * *

* * * * *

【(c) Not later than thirty days after the close of each quarter which occurs after the plan has been transmitted to the Congress,

the respective Governor shall submit a report to the Secretary of the Interior and the Congress describing in detail the success or failure of such territory in meeting the goals and timetables described in such plan.】

SECTION 603 OF THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976

BUREAU OF LAND MANAGEMENT WILDERNESS STUDY

SEC. 603. (a) * * *

(b) 【The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendations with respect to designation as wilderness of each such area, together with a map thereof and a definition of its boundaries. Such advice by the President shall be given within two years of the receipt of each report from the Secretary.】 A recommendation of the President for designation *of an area referred to in subsection (a)* as wilderness shall become effective only if so provided by an Act of Congress.

SECTION 5 OF THE ACT OF MARCH 21, 1972

AN ACT Relating to the Trust Territory of the Pacific Islands.

【SEC. 5. The chief executives of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting within one hundred and twenty days after the close of the fiscal year. The comprehensive annual financial report shall include statistical data as set forth in the standards of the National Council on Governmental Accounting relating to the physical, economic, social, and political characteristics of the government, and any other information required by the Congress. The chief executives shall transmit the comprehensive annual financial report to the Inspector General of the Department of the Interior who shall audit it and report his findings to the Congress. The chief executives shall also make such other reports at such other times as may be required by the Congress or under applicable Federal laws. The chief executives shall submit to the Congress, the Secretary of the Interior, the High Commissioner of the Trust Territory of the Pacific Islands, and the cognizant Federal auditors a written statement of actions taken or contemplated on Federal audit recommendations within sixty days after the issuance date of the audit report. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).】

SEC. 5. The chief executive of the Government of the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting, within 120 days after the close of the

fiscal year. The report shall include statistical data as set forth in those standards relating to the physical, economic, social and political characteristics of the government, and any other information required by the Congress. The chief executive shall also make any other reports at other times as may be required by under applicable Federal laws. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).

A P P E N D I X

LIST OF REPORTS RESTORED BY H.R. 3002

Public Lands and Forests

Notice of land withdrawals aggregating 5000 acres or more
Transportation or utility systems within conservation system units
or any wilderness area in Alaska
Withdrawals of more than 5000 acres of public lands in Alaska
Livestock grazing in certain designated wilderness areas
Rehabilitation needs of forest service regions due to forest fire damage
National Forest System reforestation needs
Domestic forest ecosystems research program
Implementation of Archaeological Resources Protection Act of 1979
National Wilderness Preservation System
Boundary adjustments, Alaska units of Wild and Scenic Rivers, National
Wilderness Preservation, or National Forest Systems
Status of Tongass National Forest, Alaska
Boundaries, classifications and development plans for Wild and
Scenic River systems
Trans-Alaska Pipeline Liability Fund audit
Decontamination efforts on public lands withdrawn for military
and defense-related purposes in Nevada and cost effectiveness
Management of the California Desert Conservation Area
Financial disclosures of employees performing functions under the
Federal Land Policy and Management Act of 1976
Threatened areas on registries of national landmarks and National
Register of Historic Places and areas of national significance
with potential for inclusion in the National Park System
Air traffic above Grand Canyon (2 reports)
Development of facilities for National Park System
Status of completion or revision of general management plans for
the National Park System
Feasibility or desirability of designating other trails as National
Scenic or National Historic Trails
Determination that a commemorative work should be located in
Area 1, Washington, D.C.
Proposed plan for designation of site to display commemorative
work on a temporary basis in the District of Columbia
Expenditures of funds recovered with respect to damage to National
Park resources
Subsistence management and use of public lands in Alaska
Proposed exclusion of any principal or major use for two or more
years on any tract of public land of 100,000 acres or more

Designation of any tract of public land exceeding 2500 acres for sale
 Public lands program
 Full and comprehensive report on the development of southern end of Ellis Island
 Activities of the Wolf Trap Foundation for the Performing Arts
 Wild and free roaming horses and burros on public lands
 Review of and recommendations concerning the definition of "unprocessed timber"
 National Wilderness Preservation System
 Notice of intention to interchange lands
 Reports regarding Chattahoochee River National Recreation Area
 Reports of Advisory Council on Historic Preservation
 Annual report of Alaska Land Use Council
 Reports regarding land conveyance, Prince Georges County, Maryland
 Audit of Trans-Alaska Pipeline System
 Annual report of National Park Foundation
Fisheries, Wildlife, Oceans and Environment
 Expenditures for the conservation of endangered or threatened species
 Certification regarding the taking of certain sea turtles
 International fishery conservation or protection of endangered or threatened species
 Activities of federal agencies in the marine sciences
 Governing international fishery agreements
 Environmental Quality Report
 Agency compliance with the Coastal Barrier Resources Act
 Documents relating to proposal to designate a National Marine Sanctuary
 Notice of designation of National Marine Sanctuary
 Nature, extent and effects of driftnet fishing in waters of North Pacific ocean on marine resources of United States
 Bluefin tuna
 Fair market value at the time of the transfer of all real and personal property conveyed on Pribilof Islands
 Coastal zone management
 Cooperative program for the development of tunas and other latent fishery resources of the Central, Western and South Pacific oceans
 African Elephant advisory fund and status of elephants
 Status of all marine mammal species and population stocks subject to the provisions of the Marine Mammal Protection Act
 Conservation plans for refuges established, redesignated or expanded by Alaska National Interest Lands Conservation Act
 Cost of detailed personnel and equipment from other agencies
 Aleutian and Pribilof Restitution Fund financial condition and operations
 Under Secretary of Commerce for Oceans and Atmosphere submission of results of environmental and monitoring activities
 Reports on National Estuary Program research
 Annual report of Marine Mammal Commission
 Annual report of wetlands conservation projects

Annual report of migratory bird conservation commission
 Annual report of National Fish and Wildlife Foundation

Energy and Mineral Resources

National Energy Policy and related report
 Phosphate mining in Osceola National Forest, Florida
 Pertinent public information relating to minerals in Alaska
 Mineral exploration, development or extraction on public lands in Alaska
 Effect of export of oil or gas from outer continental shelf on reliance on imports
 Administration of the Ocean Thermal Energy Conversion Act of 1980
 Administration of the Deep Seabed Hard Minerals Resources Act
 Effect of any international agreement governing deep seabed mining
 Insular areas study
 Activities under the Coal Research Act
 Activities under the Surface Mining Control and Reclamation Act of 1977
 Receipts, expenditures and work of all state mining and mineral resources research institutes
 Operations under the Abandoned Mine Reclamation Fund
 Effectiveness of state anthracite coal mine regulatory programs
 Research and demonstration projects in alternative coal mining technologies
 Oil and gas leasing, exploration, and development activities on nonNorth Slope federal lands in Alaska
 Implementation of the Federal Oil and Gas Royalty Management Act of 1982
 Delinquent royalty accounts under leases on federal lands
 Use of modified or other bidding system, and tracts offered for lease, under the Outer Continental Shelf Lands Act
 Proposed oil and gas leasing programs for outer continental shelf lands
 Environmental effects of activities under the Outer Continental Shelf Lands Act
 Financial disclosures of employees performing functions under the Outer Continental Shelf Lands Act or the Outer Continental Shelf Lands Act Amendments of 1978
 Estimated reserves of oil and gas in outer continental shelf
 Status of nationwide geological mapping program
 Deep seabed revenue sharing trust fund
 Annual report of advisory council on coal research
 National plan for research in mining and mineral resources

Water Resources

Report of the work of the River Basin Commissions
 Actual operations under adopted criteria for coordinated long-range operation of Colorado River reservoirs
 Studies on Colorado River water quality
 Approval of projects under the Small Reclamation Projects Act and proposals received
 Deferments of payments for reclamation projects

Proposed contracts for drainage works and minor construction over \$200,000 on federal reclamation projects
 Budget for operations financed by the lower Colorado River Basin Development Fund
 Budget for operations financed by the upper Colorado River Basin Fund
 Annual consumptive use and losses of water from the Colorado River system
 Findings and technical data on dams requiring structural modification
 Status of revenues from and costs relating to the Colorado River storage project
 Preparation of level B plans
 Annual report of Pacific Northwest Electric Power and Conservation Planning Council

Insular Affairs

Justification for direct review of final decisions of the highest court of Guam
 Justification for direct review of final decisions of the highest court of Virgin Islands
 Proposed constitution for Guam
 Certain agreements with the Federated States of Micronesia or the Marshall Islands
 Determination that the Governments of the Marshall Islands and the Federated States of Micronesia shall refrain from actions incompatible with United States authority and responsibility for security and defense matters
 Impact of the Compact of Free Association on United States territories and commonwealths and on Hawaii
 Law enforcement assistance agreements between the United States and Federated States of Micronesia
 Determination regarding transfer of funds available under the Compact of Free Association to the Federated States of Micronesia and the Marshall Islands to accounts for payment to owners of seized fishing vessels
 Law enforcement assistance agreements between the United States and the Marshall Islands
 Future funding needs on Bikini Atoll
 Proposed transportation or storage of spent nuclear fuel or high-level radioactive waste on any United States territory or possession
 United States noncontiguous Pacific Areas policy
 Audit of the financial report submitted by the Governor of Guam
 Audit of financial report, Commonwealth of the Northern Mariana Islands
 Governments of the Federated States of Micronesia and the Marshall Islands: implementation of plans and use of funds for grant assistance in the Compact of Free Association
 Comprehensive financial reports of the Governor of Guam
 Comprehensive financial report of the Governor of the Virgin Islands
 Comprehensive financial report of the Governor of American Samoa

Annual financial reports regarding Marshall Islands, Micronesia,
Palau and Northern Mariana Islands

Native Americans

Final decision of any claim challenging the partition of joint res-
ervation

Results of land acquisition negotiations with Kootznoowoo, Inc.

Modification or amendment of land exchange between the United
States and the Goldbelt and Sealaska Corporations

Activities, views and recommendations of National Indian Gaming
Commission

